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Date: November 18, 2003

To: Ken Dornier  
USPTO

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From: Jill A. Friederichs for N. Paul Friederichs

Message: Copy of:  
Renewed Petition Under 37 CFR 1.181 (1 pg.)  
Declaration of N. Paul Friederichs (4 pg.)  
Exhibit A (1 pg.)  
RE: Applicant: Cederberg, et al.  
Ser. No.: 09/382,709

☒ Original will not follow. ☐ Original will follow.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|            |   |                        |                      |
|------------|---|------------------------|----------------------|
| Applicant  | : | Cederberg, Carl et al. |                      |
| Serial No. | : | 09/382,709             |                      |
| Filed      | : | 08/23/99               | Group Art Unit: 3635 |
| For        | : | EXTERIOR DOOR JAMB     | Examiner: Nguyen, C. |
| Docket No. | : | S 855-004-PAT          |                      |

Commissioner of Patents and Trademarks  
Washington, D. C. 20231

**RENEWED PETITION UNDER 37 C.F.R. 1.181**

The enclosed affidavit, and Exhibit A, is in response to the Decision to Withdraw the Holding of Abandonment dated October 14, 2003. I have enclosed the docket as requested and described our docketing procedures, which involved many reviews of the documents in our office. We never received the Notice of Allowance.

By



N. Paul Friederichs, Reg. No. 36,515  
P.O. Box 48755  
Coon Rapids, MN 55448  
Telephone: 763/560-0294  
Facsimile: 763/560-0341

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Cederberg, Carl et al.

Serial No. : 09/382,709

Filed : 08/23/99

For : EXTERIOR DOOR JAMB

Docket No. : S 855-004-PAT

Group Art Unit: 3635

Examiner: Nguyen, C.

Commissioner of Patents and Trademarks  
Washington, D. C. 20231**DECLARATION OF N. PAUL FRIEDERICH**

- 1) I have searched the file jacket and docket. Both the file jacket and docket reflect that we did not receive the notice of allowance. My file has a request for supervisory review prior to the Notice of Allowance and the next consecutive document is a petition to revive.
- 2) I personally recall being told by the Examiner that he was going to allow the application. When I did not receive the notice of allowance, I called and found out the application had gone abandoned a couple days earlier, which resulted in the petition to revive.

- 3) I have further initiated a firm wide search and did not find the notice of allowance anywhere. Moreover, our office procedures would have found the notice of Allowance a long time ago if it was received, which procedures require all filing to be completed immediately prior to physically going through each file and verifying the docket every six months. During such reviews we experience under 1% error counting all address, telephone number, and other areas where errors can be made and all errors tend be recent (past six months) and of a typographical type, not completely failing to docket an item. There has been multiple searches of the offices and all files in it together with reviews of the docket between the time when the Notice of Allowance should have been received and now. The Notice of Allowance has not been found in our office.
- 4) We use an electronic docketing system sold under the trademark Amicus. Amicus has an item which it refers to as a "precedent" where docketed items are registered. A precedent is a single work item, recording various information as shown. I have printed each and every precedent related to this file, attached as Exhibit A.
- 5) I have included a complete copy of our docket on this file (see Exhibit A). It does not have a docket item for responding to a notice of allowance. Please note that this file was transferred mid-case and there was only one office action that we

ever received and the decision on the petition to revive. Accordingly, the docket is extremely short for this file.

- 6) I do not have any documents in this file that had due dates on August 6, 2002 or September 19, 2002 as reflected in the Decision on the petition. I show nothing in the file or on our docket with these dates. I further did not receive the Notice of Abandonment as expressed in the decision that was stated to be mailed on February 4, 2003. Please verify your records on mailing address as my address has not changed, since September 1997.
- 7) My father was gracious enough to provide me with a copy of his medical records, which are available upon request to show that he was in the hospital and a nursing home at the time the USPTO may have been mailing to his office.
- 8) I request a telephone call should there be any other information that would be beneficial for a full determination. Please also note that I have further requested that the application be revived on other basis. Only one of the three separate basis was addressed in the decision.

#### **DECLARATION**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

A handwritten signature in black ink, appearing to read "N. Paul Friederichs", is written over a horizontal line.

N. Paul Friederichs

**Jill Friederichs Tue Nov 18, 2003**

Page: 1

Events for all lawyers for: SMI S855-004 Door jamb  
Date: Tue Nov 18, 2003

Wednesday May 8, 2002 - Done - Office Action Reminder  
Client: Cory Cederberg  
Client work - general  
Priority: Done  
Notes: If no response, resend letter regarding Office Action  
Attorney(s) assigned: Paul Friederichs, William Flynn, Terri Banta

Tuesday November 18, 2003 - Respond to Petition decision  
Deadline: Monday December 8, 2003 (Due 20 days)  
Client: Cory Cederberg  
Client work - general  
Priority: Avg.  
Attorney(s) assigned: Paul Friederichs, Jill Friederichs

*Exhibit A*